

111TH CONGRESS
2D SESSION

H. R. 5161

To authorize appropriations for fiscal year 2011 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 28, 2010

Mr. REYES introduced the following bill; which was referred to the Select Committee on Intelligence (Permanent Select)

A BILL

To authorize appropriations for fiscal year 2011 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Intelligence Authoriza-
5 tion Act for Fiscal Year 2011”.

TITLE I—INTELLIGENCE ACTIVITIES

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2011 for the conduct of the intelligence and intelligence-related activities of the following elements of the United States Government:

(1) The Office of the Director of National Intelligence.

(2) The Central Intelligence Agency.

(3) The Department of Defense.

(4) The Defense Intelligence Agency.

(5) The National Security Agency.

(6) The Department of the Army, the Department of the Navy, and the Department of the Air Force.

(7) The Coast Guard.

(8) The Department of State.

(9) The Department of the Treasury.

(10) The Department of Energy.

(11) The Department of Justice.

(12) The Federal Bureau of Investigation.

(13) The Drug Enforcement Administration.

(14) The National Reconnaissance Office.

1 (15) The National Geospatial-Intelligence Agen-
2 cy.

3 (16) The Department of Homeland Security.

4 **SEC. 102. CLASSIFIED SCHEDULE OF AUTHORIZATIONS.**

5 (a) SPECIFICATIONS OF AMOUNTS AND PERSONNEL
6 LEVELS.—The amounts authorized to be appropriated
7 under section 101 and, subject to section 103, the author-
8 ized personnel ceilings as of September 30, 2011, for the
9 conduct of the intelligence activities of the elements listed
10 in paragraphs (1) through (16) of section 101, are those
11 specified in the classified Schedule of Authorizations pre-
12 pared to accompany the bill H.R. ____ of the One Hun-
13 dred Eleventh Congress.

14 (b) AVAILABILITY OF CLASSIFIED SCHEDULE OF AU-
15 THORIZATIONS.—The classified Schedule of Authoriza-
16 tions referred to in subsection (a) shall be made available
17 to the Committee on Appropriations of the Senate, the
18 Committee on Appropriations of the House of Representa-
19 tives, and to the President. The President shall provide
20 for suitable distribution of the Schedule, or of appropriate
21 portions of the Schedule, within the executive branch.

22 **SEC. 103. PERSONNEL CEILING ADJUSTMENTS.**

23 (a) AUTHORITY FOR INCREASES.—With the approval
24 of the Director of the Office of Management and Budget,
25 the Director of National Intelligence may authorize em-

1 ployment of civilian personnel in excess of the number au-
 2 thorized for fiscal year 2011 by the classified Schedule of
 3 Authorizations referred to in section 102(a) if the Director
 4 of National Intelligence determines that such action is
 5 necessary to the performance of important intelligence
 6 functions, except that the number of personnel employed
 7 in excess of the number authorized under such section may
 8 not, for any element of the intelligence community, exceed
 9 3 percent of the number of civilian personnel authorized
 10 under such Schedule for such element.

11 (b) NOTICE TO CONGRESSIONAL INTELLIGENCE
 12 COMMITTEES.—The Director of National Intelligence
 13 shall notify the congressional intelligence committees in
 14 writing at least 15 days prior to each exercise of an au-
 15 thority described in subsection (a).

16 **SEC. 104. INTELLIGENCE COMMUNITY MANAGEMENT AC-**
 17 **COUNT.**

18 (a) AUTHORIZATION OF APPROPRIATIONS.—There is
 19 authorized to be appropriated for the Intelligence Commu-
 20 nity Management Account of the Director of National In-
 21 telligence for fiscal year 2011 the sum of
 22 \$_____. Within such amount, funds
 23 identified in the classified Schedule of Authorizations re-
 24 ferred to in section 102(a) for advanced research and de-

1 velopment shall remain available until September 30,
2 2012.

3 (b) AUTHORIZED PERSONNEL LEVELS.—The ele-
4 ments within the Intelligence Community Management
5 Account of the Director of National Intelligence are au-
6 thorized _____ full-time or full-time equivalent personnel
7 as of September 30, 2011. Personnel serving in such ele-
8 ments may be permanent employees of the Office of the
9 Director of National Intelligence or personnel detailed
10 from other elements of the United States Government.

11 (c) CONSTRUCTION OF AUTHORITIES.—The authori-
12 ties available to the Director of National Intelligence
13 under section 103 are also available to the Director for
14 the adjustment of personnel levels within the Intelligence
15 Community Management Account.

16 (d) CLASSIFIED AUTHORIZATIONS.—

17 (1) AUTHORIZATION OF APPROPRIATIONS.—In
18 addition to amounts authorized to be appropriated
19 for the Intelligence Community Management Ac-
20 count by subsection (a), there are authorized to be
21 appropriated for the Community Management Ac-
22 count for fiscal year 2011 such additional amounts
23 as are specified in the classified Schedule of Author-
24 izations referred to in section 102(a). Such addi-
25 tional amounts for advanced research and develop-

1 ment shall remain available until September 30,
2 2012.

3 (2) AUTHORIZATION OF PERSONNEL.—In addi-
4 tion to the personnel authorized by subsection (b)
5 for elements of the Intelligence Community Manage-
6 ment Account as of September 30, 2011, there are
7 authorized such additional personnel for the Com-
8 munity Management Account as of that date as are
9 specified in the classified Schedule of Authorizations
10 referred to in section 102(a).

11 (e) REIMBURSEMENT.—Except as provided in section
12 113 of the National Security Act of 1947 (50 U.S.C.
13 404h), during fiscal year 2011 any officer or employee of
14 the United States or a member of the Armed Forces who
15 is detailed to the staff of the Intelligence Community Man-
16 agement Account from another element of the United
17 States Government shall be detailed on a reimbursable
18 basis, except that any such officer, employee, or member
19 may be detailed on a nonreimbursable basis for a period
20 of less than one year for the performance of temporary
21 functions as required by the Director of National Intel-
22 ligence.

1 **TITLE II—CENTRAL INTEL-**
2 **LIGENCE AGENCY RETIRE-**
3 **MENT AND DISABILITY SYS-**
4 **TEM**

5 **SEC. 201. AUTHORIZATION OF APPROPRIATIONS.**

6 There is authorized to be appropriated for the Cen-
7 tral Intelligence Agency Retirement and Disability Fund
8 for fiscal year 2011 the sum of \$_____.

9 **TITLE III—GENERAL**
10 **PROVISIONS**

11 **SEC. 301. INCREASE IN EMPLOYEE COMPENSATION AND**
12 **BENEFITS AUTHORIZED BY LAW.**

13 Appropriations authorized by this Act for salary, pay,
14 retirement, and other benefits for Federal employees may
15 be increased by such additional or supplemental amounts
16 as may be necessary for increases in such compensation
17 or benefits authorized by law.

18 **SEC. 302. RESTRICTION ON CONDUCT OF INTELLIGENCE**
19 **ACTIVITIES.**

20 The authorization of appropriations by this Act shall
21 not be deemed to constitute authority for the conduct of
22 any intelligence activity which is not otherwise authorized
23 by the Constitution or the laws of the United States.

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